

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

)
)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
)

) Judge Patti B. Saris
)

THIS DOCUMENT RELATES TO:

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)
) *The City of New York v. Abbott Labs., et al.*
) (S.D.N.Y. No. 04-CV-06054)
) *County of Suffolk v. Abbott Labs., et al.*
) (E.D.N.Y. No. CV-03-229)
) *County of Westchester v. Abbott Labs., et al.*
) (S.D.N.Y. No. 03-CV-6178)
) *County of Rockland v. Abbott Labs., et al.*
) (S.D.N.Y. No. 03-CV-7055)
) *County of Dutchess v. Abbott Labs., et al.*
) (S.D.N.Y. No. 05-CV-06458)
) *County of Putnam v. Abbott Labs., et al.*
) (S.D.N.Y. No. 05-CV-04740)
) *County of Washington v. Abbott Labs., et al.*
) (N.D.N.Y. No. 05-CV-00408)
) *County of Rensselaer v. Abbott Labs., et al.*
) (N.D.N.Y. No. 05-CV-00422)
) *County of Albany v. Abbott Labs., et al.*
) (N.D.N.Y. No. 05-CV-00425)
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[Caption Continues on Next Page]

**NOTICE OF CORRECTION TO DEFENDANTS' JOINT REPLY IN FURTHER
SUPPORT OF THEIR MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED
CONSOLIDATED COMPLAINT**

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| <i>County of Warren v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00468) |) |
| <i>County of Greene v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00474) |) |
| <i>County of Saratoga v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00478) |) |
| <i>County of Columbia v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00867) |) |
| <i>Essex County v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00878) |) |
| <i>County of Chenango v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00354) |) |
| <i>County of Broome v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00456) |) |
| <i>County of Onondaga v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00088) |) |
| <i>County of Tompkins v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00397) |) |
| <i>County of Cayuga v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00423) |) |
| <i>County of Madison v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00714) |) |
| <i>County of Cortland v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00881) |) |
| <i>County of Herkimer v. Abbott Labs. et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00415) |) |
| <i>County of Oneida v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00489) |) |
| <i>County of Fulton v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00519) |) |
| <i>County of St. Lawrence v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00479) |) |
| <i>County of Jefferson v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00715) |) |
| <i>County of Lewis v. Abbott Labs., et al.</i> |) |
| (N.D.N.Y. No. 05-CV-00839) |) |
| <i>County of Chautauqua v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06204) |) |
| <i>County of Allegany v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06231) |) |
| <i>County of Cattaraugus v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06242) |) |

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| <i>County of Genesee v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06206) |) |
| <i>County of Wayne v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06138) |) |
| <i>County of Monroe v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06148) |) |
| <i>County of Yates v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06172) |) |
| <i>County of Niagara v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06296) |) |
| <i>County of Seneca v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06370) |) |
| <i>County of Orleans v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06371) |) |
| <i>County of Ontario v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06373) |) |
| <i>County of Schuyler v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06387) |) |
| <i>County of Steuben v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06223) |) |
| <i>County of Chemung v. Abbott Labs., et al.</i> |) |
| (W.D.N.Y. No. 05-CV-06744) |) |
| |) |
| AND |) |
| |) |
| <i>County of Nassau v. Abbott Labs., et al.</i> |) |
| (E.D.N.Y. No. 04-CV-5126) |) |
| _____ |) |

Defendants hereby submit to the Court a Corrected Joint Reply in Further Support of Defendants' Motion to Dismiss Plaintiffs' First Amended Consolidated Complaint. This Corrected Joint Reply corrects an error in the number of new drugs that plaintiffs have added to their Amended Complaint without leave of court. Rather than 366 new drugs, plaintiffs have added 362 new drugs in addition to the 348 new drugs plaintiffs claim to have added by mistake due to a "technical sorting error."

This error is corrected in the following places: (1) Defendants Joint Reply Brief at 3; (2) Declaration of John P. Bueker, at ¶ 2; and (3) Exhibit 1 to Declaration of John P. Bueker.

Accordingly, defendants respectfully file and serve amended versions of the above referenced documents with this Court and on all parties.

Schering-Plough Corporation, Schering
Corporation, and Warrick Pharmaceuticals
Corporation

By their attorneys,

/s/ John T. Montgomery

John T. Montgomery (BBO#352220)

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Date: July 20, 2007

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2007, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Kim B. Nemirow

Kim B. Nemirow